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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,062	05/12/2005	Mauri Kangas	886A.0010.U1(US)	2391
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/535,062	<b>Applicant(s)</b> KANGAS, MAURI	
	<b>Examiner</b> Gary Au	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "ADDRESSING MESSAGES TO DIGITAL BROADCAST RECEIVERS VIA DISPARATE COMMUNICATION NETWORKS".

Correction is required.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5, 6, 12, 14, 17, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka).

Considering claim 1, Nagaoka teaches a method of configuring a digital broadcast receiver (set top box 4 – figure 1, [0036]) to receive individually addressed messages through a digital broadcast network ([0036]), the messages being derived from a different network ([0047] and [0055]), comprising sending to the digital broadcast receiver through the network message detection data that allows the digital broadcast receiver to identify messages broadcast through the network with at least one individual address corresponding to the digital broadcast receiver,

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and storing the message detection data for use in the digital broadcast receiver to detect messages addressed thereto ([0061]).

Considering claim 12, Nagaoka teaches a method of operating a digital broadcast network to configure a digital broadcast receiver (set top box 4 – figure 1, [0036]) to receive individually addressed messages through the network ([0036]), the messages being derived from a network different from the broadcast network ([0047] and [0055]), comprising receiving specific data that individually characterizes a particular digital broadcast receiver ([0044]), providing message detection data as a function of said specific data that allows the digital broadcast receiver to identify messages broadcast through the network with at least one individual address corresponding to the digital broadcast receiver for storage therein to detect messages addressed individually thereto, and sending the Message detection data to the digital broadcast receiver through the network ([0061]).

Considering claim 3, Nagaoka teaches the digital broadcast receiver comprises a set top box (set top box 4- figure 1, [0036]).

Considering claims 5 and 14, Nagaoka teaches each digital broadcast receiver has an individual identification code ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box), and the message detection data includes identity data corresponding to the identity of the digital broadcast receiver that is already stored in the receiver ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the

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set top box), and the method includes identifying said identity data corresponding to the stored data in the digital broadcast receiver and selectively storing in the digital broadcast receiver the sent detection data corresponding to the stored identity data ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box).

Considering claims 6 and 17, Nagaoka teaches the detection data includes at least one address for messages corresponding to the identity data for the digital broadcast receiver ([0053]).

Considering claim 18, Nagaoka teaches a network adapted to perform a method as claimed in claim 12 ([0036]).

Considering claim 20, Nagaoka teaches a method of configuring a digital broadcast receiver (set top box 4 – figure 1, [0036]) to receive individually addressed messages through a digital broadcast network, the messages emanating from a network different from the digital broadcast network ([0036]), comprising receiving at the digital broadcast receiver from the digital broadcast network ([0044]), message detection data that allows the digital broadcast receiver to identify said messages broadcast through the network with at least one individual address corresponding to the digital broadcast receiver, and storing the message detection data for use in the digital broadcast receiver to detect messages addressed thereto ([0061]).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 10, 11, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) as applied to claim 1 above, and further in view of US Patent Application No. 2003/0056220 Thornton et al. (Thornton).

As to claims 2 and 19, Nagaoka teaches a method according to claim 1 but fails to disclose the messages comprise MMS messages.

In an analogous art, Thornton teaches MMS message ([0006]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include MMS message, as taught by Thornton, for the advantage of increasing the media that can be sent among mobile devices ([0006]).

As to claims 10 and 11, Nagaoka teaches a digital broadcast receiver configured by a method as claim in claim 1 and receives messages ([0061]) but fails to disclose MMS messages.

In an analogous art, Thornton teaches MMS message ([0006]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include MMS message, as taught by Thornton, for the advantage of increasing the media that can be sent among mobile devices ([0006]).

As to claim 21, Nagaoka teaches the digital broadcast receiver comprises a set top box (set top box 4 – figure 1, [0036]) and the method configures the set top box to receive messages ([0044]) but fails to disclose MMS messages.

In an analogous art, Thornton teaches MMS message ([0006]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include MMS message, as taught by Thornton, for the advantage of increasing the media that can be sent among mobile devices ([0006]).

5. Claims 4, 7, 9, 13, 15, 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) as applied to claim 1 above, and further in view of US Patent No. 6,845,230 (Syed).

As to claims 4, 7, 13, 16, Nagaoka teaches storing the data in the digital broadcast receiver ([0044]), but fails to disclose each digital broadcast receiver has substantially unique key stored therein, and the message detection data is encrypted using said key, and the method, includes decrypting the message detection data with the key at the digital broadcast receiver.

In an analogous art, Syed teaches each digital broadcast receiver has substantially unique key stored (col. 13 line 66 – col. 14 line 6) therein, and the message detection data is encrypted using said key (col. 13 line 66 – col. 14 line 6), and the method, includes inherently decrypting the message detection data with the key at the digital broadcast receiver (col. 13 line 66 – col. 14 line 6, where Syed is discussing including encryption key in the data and the receiver would use the key to decrypt the data).

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It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include each digital broadcast receiver has substantially unique key stored therein, and the message detection data is encrypted using said key, and the method, includes decrypting the message detection data with the key at the digital broadcast receiver, as taught by Syed, for the advantage of providing security to the data.

As to claims 9 and 15, Nagaoka teaches the detection data includes a plurality of addresses associated with identity ([0053]). Also, Syed teaches decryption keys associated with the addresses (col. 13 line 66 – col. 14 line 6).

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) as applied to claim 1 above, and further in view of US Patent No. 6,993,327 (Mathis).

As to claim 8, Nagaoka teaches the method of claim 1 but fails to disclose a group address for a message multicast through the network.

In an analogous art, Mathis teaches a group address for a message multicast through the network (col. 6 lines 1-10).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include a group address for a message multicast through the network, as taught by Mathis, for the advantage of reducing network traffic (col. 1 line 52 – col. 2 line 9).



*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application No. 2003/0056220 (Thornton et al.) teaches a user of a first device may select at least one multimedia presentation. US Patent Application No. 2005/0235324 (Makipaa et al.) teaches a system and method for delivering a media object associated with a media stream broadcasted from a communication device to a broadcast receiving unit such as a personal computer, a multimedia terminal, a television receiver, a television, or any type of radio receiver.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822. The examiner can normally be reached on 8am-5pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NICK CORSARO  
PRIMARY EXAMINER